

A CERTIFIED TRUE COPY

OCT 24 2005

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONU.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

2005 OCT 28 PM 2:40 OCT - 6 2005

DOCKET NO. 1657

LORETTA G. WYITE
CLERK
FILED
CLERK'S OFFICE

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-26)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,668 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Michael J. Beck*Michael J. Beck
Clerk of the PanelInasmuch as no objection is
pending at this time, the
stay is lifted.

OCT 24 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONCLERK'S OFFICE
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NOV 15 2005

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

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SCHEDULE CTO-26 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION

EDLA
Sec 4/3

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
ALABAMA MIDDLE		
ALM 2 05-880	Theatus Rawdon Beatty v. Merck & Co., Inc., et al. Opposed 10/20/05	
ALM 3 05-849	Ruth Baldwin, etc. v. Merck & Co., Inc., et al.	05-5322
ALABAMA SOUTHERN		
ALS 1 05-525	Hazel C. Howell v. Merck & Co., Inc., et al.	05-5323
CALIFORNIA CENTRAL		
CAC 2 05-6560	Ron Clausen, et al. v. Merck & Co., Inc.	05-5324
CALIFORNIA NORTHERN		
CAN 3 05-3656	Kenneth Madfes, et al. v. Merck & Co., Inc.	05-5325
FLORIDA SOUTHERN		
FLS 1 05-22503	Ronald Strauss, et al. v. Merck & Co., Inc.	05-5326
IDAHO		
ID 2 05-361	Betty Carolyn Struckmeyer, et al. v. Merck & Co., Inc.	05-5327
ILLINOIS CENTRAL		
ILC 2 05-2202	Charles Cramer, et al. v. Merck & Co., Inc.	05-5328
ILLINOIS NORTHERN		
ILN 1 05-5088	Freddie S. Gilmer, Sr. v. Merck & Co., Inc.	05-5329
ILN 1 05-5136	Wanda Hill, etc. v. Merck & Co., Inc.	05-5330
ILN 1 05-5198	Delores M. Gough, et al. v. Merck & Co., Inc.	05-5331
ILN 3 05-50178	Rosetta Bryant v. Merck & Co., Inc.	05-5332
ILLINOIS SOUTHERN		
ILS 4 05-4170	Gary Grizzell v. Merck & Co., Inc., et al. Opposed 10/20/05	
INDIANA NORTHERN		
INN 3 05-567	Barbara M. Lewallen, et al. v. Merck & Co., Inc.	05-5333
INN 3 05-568	Billy J. Milan, et al. v. Merck & Co., Inc.	05-5334
INN 3 05-573	Deborah Ann Snyder, et al. v. Merck & Co., Inc.	05-5335
KENTUCKY EASTERN		
KYE 2 05-170	Joan Ann Muth, et al. v. Merck & Co., Inc.	05-5336
KYE 2 05-172	Edward Berkshire, et al. v. Merck & Co., Inc.	05-5337
KYE 2 05-173	Linda K. Stuck, et al. v. Merck & Co., Inc.	05-5338
KYE 2 05-174	Carole L. Warner v. Merck & Co., Inc.	05-5339
KYE 5 05-378	Velma J. Miller, etc. v. Merck & Co., Inc.	05-5340
KENTUCKY WESTERN		
KYW 4 05-133	Roger D. Hayse, et al. v. Merck & Co., Inc.	05-5341
LOUISIANA MIDDLE		
LAM 3 05-1059	James B. Arnold, et al. v. Merck & Co., Inc.	05-5342

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
MINNESOTA		
MN 0 05-2116	Darlene J. Shaver v. Merck & Co., Inc.	
MN 0 05-2117	Carolyn L. Williams v. Merck & Co., Inc.	EDLA Sec 4/3 05-5343 05-5344
MISSOURI EASTERN		
MOE 4 05-1353	Bertha Marie Mitchell v. Merck & Co., Inc.	05-5345
MOE 4 05-1354	Julie Thompson v. Merck & Co., Inc.	05-5346
MOE 4 05-1373	Thelma Reed, et al. v. Merck & Co., Inc.	05-5347
MOE 4 05-1378	Mollie Knox v. Merck & Co., Inc.	05-5348
MOE 4 05-1379	Janet Lemmon v. Merck & Co., Inc.	05-5349
MOE 4 05-1380	Sharion Mitchell v. Merck & Co., Inc.	05-5350
MOE 4 05-1463	Evelyn Light, et al. v. Merck & Co., Inc., et al. Opposed 10/24/05	
MOE 4 05-1465	Fulton Lacy, et al. v. Merck & Co., Inc., et al. Opposed 10/24/05	
MOE 4 05-1466	Roberta Sterling, et al. v. Merck & Co., Inc., et al. Opposed 10/24/05	
MOE 4 05-1482	John G. Gilmore v. Merck & Co., Inc., et al.	05-5351
MISSOURI WESTERN		
MOW 2 05-4274	Ruby Frances Smith, et al. v. Merck & Co., Inc.	05-5352
MOW 2 05-4283	Glenda Meysami, et al. v. Merck & Co., Inc.	05-5353
MOW 4 05-763	Betty White v. Merck & Co., Inc.	05-5354
MOW 4 05-787	Robert H. Cotter, etc. v. Merck & Co., Inc.	05-5355
MOW 4 05-823	Jackie Knott, et al. v. Merck & Co., Inc.	05-5356
MOW 4 05-824	Hugh Graff, et al. v. Merck & Co., Inc.	05-5357
MOW 4 05-825	Mary Withers, et al. v. Merck & Co., Inc.	05-5358
MOW 4 05-831	Mary Plubell v. Merck & Co., Inc. Vacated 10/21/05	
MOW 4 05-841	Donna Smith, et al. v. Merck & Co., Inc.	05-5359
MOW 4 05-842	Ronald Yahne, et al. v. Merck & Co., Inc.	05-5360
MOW 4 05-843	Beverly Paith v. Merck & Co., Inc.	05-5361
MOW 4 05-844	Gerald Holcomb, et al. v. Merck & Co., Inc.	05-5362
MOW 4 05-845	George Peters, et al. v. Merck & Co., Inc.	05-5363
MOW 5 05-6092	Louisa Occhipinto v. Merck & Co., Inc.	05-5364
MISSISSIPPI NORTHERN		
MSN 3 05-110	James R. Cook, Jr., et al. v. Merck & Co., Inc.	05-5365
MONTANA		
MT 9 05-146	Gary Hoekman v. Merck & Co., Inc., et al.	05-5366
NORTH CAROLINA EASTERN		
NCE 7 05-160	Eugene Ulysses Taylor, Jr. v. Merck & Co., Inc.	05-5367
NCE 7 05-161	Bobby Gene Brook v. Merck & Co., Inc.	05-5368
NEW HAMPSHIRE		
NH 1 05-317	Todd Rohr v. Merck & Co., Inc.	05-5369
NEW YORK EASTERN		
NYE 1 05-4091	Ruth Boyd, et al. v. Merck & Co., Inc.	05-5370
NYE 1 05-4284	David Goldner, et al. v. Shelter Rock Orthopedic Group, P.C., et al. Opposed 10/21/05	
NYE 1 05-4303	Jean Claude Nathan v. Merck & Co., Inc.	05-5371
NYE 1 05-4304	Anthony Gralto v. Merck & Co., Inc.	05-5372
NEW YORK SOUTHERN		
NYS 1 05-7999	Millie Pitchford v. Merck & Co., Inc.	05-5373

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
NEW YORK WESTERN		
NYW 6 05-6475	Brian North v. Merck & Co., Inc., et al. Opposed 10/21/05	
OHIO NORTHERN		
OHN 1 05-2136	Charlotte Mahan v. Merck & Co., Inc.	05-5374
OHIO SOUTHERN		
OHS 2 05-834	Karen Smith, etc. v. Merck & Co., Inc.	05-5375
OKLAHOMA NORTHERN		
OKN 4 05-492	Redina Darlene Sewell v. Merck & Co., Inc.	05-5376
OKLAHOMA WESTERN		
OKW 5 05-1056	Betty Bridges v. Merck & Co., Inc.	05-5377
OKW 5 05-1057	Joyce Zind v. Merck & Co., Inc.	05-5378
OKW 5 05-1059	Phyllis Miller v. Merck & Co., Inc.	05-5379
OKW 5 05-1079	George Seminoff, et al. v. Merck & Co., Inc.	05-5380
OKW 5 05-1080	Jackie Harper, etc. v. Merck & Co., Inc.	05-5381
PENNSYLVANIA EASTERN		
PAE 2 05-3785	James Schneller, etc. v. Merck & Co., Inc.	05-5382
PAE 2 05-4577	Dr. Donald Dworken v. Merck & Co., Inc., et al.	05-5383
PAE 2 05-4578	Norman B. LaChance, et al. v. Merck & Co., Inc., et al.	05-5384
PAE 2 05-4713	Pauline M. Dixon v. Merck & Co., Inc.	05-5385
PAE 2 05-4740	Sharon Kravet, etc. v. Merck & Co., Inc., et al.	05-5386
PAE 2 05-4825	Kirkwood Dormeyer v. Merck & Co., Inc., et al.	05-5387
PAE 2 05-4840	Karen Olson, et al. v. Merck & Co., Inc., et al.	05-5388
PAE 2 05-4917	Althea L. Newman, et al. v. Merck & Co., et al.	05-5389
PAE 2 05-4924	Thomas N. Pafford, et al. v. Merck & Co., Inc., et al.	05-5390
SOUTH DAKOTA		
SD 1 05-1038	Blanche Lewandowski v. Merck & Co., Inc.	05-5391
SD 1 05-1039	Chuck Davis, Sr. v. Merck & Co., Inc.	05-5392
TENNESSEE EASTERN		
TNE 1 05-231	Kenneth Gregory v. Merck & Co., Inc.	05-5393
TNE 1 05-232	Frieda Thompson v. Merck & Co., Inc.	05-5394
TNE 1 05-233	Dorothy P. Price, et al. v. Merck & Co., Inc.	05-5395
TNE 1 05-252	James R. Clayton v. Merck & Co., Inc.	05-5396
TNE 1 05-253	James D. Williams v. Merck & Co., Inc.	05-5397
TNE 2 05-222	Charlotte R. Young v. Merck & Co., Inc.	05-5398
TNE 2 05-223	Michael B. Kelly, et al. v. Merck & Co., Inc.	05-5399
TNE 2 05-232	James F. Harper, et al. v. Merck & Co., Inc.	05-5400
TNE 3 05-430	Betty S. Hendrickson v. Merck & Co., Inc.	05-5401
TNE 4 05-63	James Myers v. Merck & Co., Inc.	05-5402
TNE 4 05-64	Thomas Marshall, et al. v. Merck & Co., Inc.	05-5403
TENNESSEE MIDDLE		
TNM 1 05-62	Mariane Marks, etc. v. Merck & Co., Inc.	05-5404
TNM 3 05-663	Beverly Carole Maxwell, et al. v. Merck & Co., Inc.	05-5405
TNM 3 05-689	Robert Fontaine Booher, et al. v. Merck & Co., Inc.	05-5406

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
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TNW 1 05-1240	Barbara Jean Snider, et al. v. Merck & Co., Inc., et al.	05-5407
TNW 1 05-1241	James H. Wilbanks, et al. v. Merck & Co., Inc., et al.	05-5408
TNW 1 05-1242	Linda Jones, etc. v. Merck & Co., Inc.	05-5409
TNW 1 05-1243	Carolyn Butler, etc. v. Merck & Co., Inc., et al.	05-5410
TNW 1 05-1251	Brenda J. Smith, etc. v. Merck & Co., Inc.	05-5411
TNW 1 05-1252	Sally T. Hatch, et al. v. Merck & Co., Inc., et al.	05-5412
TNW 1 05-1254	Mary L. Woods v. Merck & Co., Inc.	05-5413
TNW 1 05-1255	Matha Paslay v. Merck & Co., Inc.	05-5414
TNW 2 05-2618	Robert Henry Russell, et al. v. Merck & Co., Inc.	05-5415
TNW 2 05-2658	Ola Mae Parker v. Merck & Co., Inc.	05-5416
TNW 2 05-2659	George Jividen v. Merck & Co., Inc.	05-5417
TNW 2 05-2660	Virgie E. Spraggins v. Merck & Co., Inc.	05-5418
TEXAS EASTERN		
TXE 1 05-611	Nadia Jovancicevic, et al. v. Merck & Co., Inc.	05-5419
TXE 1 05-640	Jaqueline M. Pugh v. Merck & Co., Inc.	05-5420
TXE 2 05-429	Marcia King, etc. v. Merck & Co., Inc.	05-5421
TEXAS NORTHERN		
TXN 2 05-204	Dora Mae O'Hair Brown, et al. v. Merck & Co., Inc.	05-5422
TXN 3 05-1827	Margaret Morris v. Merck & Co., Inc.	05-5423
TXN 4 05-543	John Dahl v. Merck & Co., Inc.	05-5424
TEXAS SOUTHERN		
TXS 2 05-445	Antonio Salazar, et al. v. Merck & Co., Inc., et al. Opposed 10/21/05	
TXS 2 05-450	Ignacio Valdez v. Merck & Co., Inc.	05-5425
TXS 2 05-466	Estella Torres v. Merck & Co., Inc.	05-5426
TXS 2 05-467	Norma L. Balderas v. Merck & Co., Inc.	05-5427
TXS 2 05-468	Mary Alice Terrell v. Merck & Co., Inc.	05-5428
TEXAS WESTERN		
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TXW 1 05-689	Min Han, et al. v. Merck & Co., Inc.	05-5430
TXW 1 05-690	Joseph Murray, etc. v. Merck & Co., Inc.	05-5431
TXW 1 05-691	Clyde Crooks, Jr., et al. v. Merck & Co., Inc.	05-5432
TXW 1 05-744	Oscar Williams, et al. v. Merck & Co., Inc.	05-5433
TXW 1 05-745	Jane M. Thompson v. Merck & Co., Inc.	05-5434
UTAH		
UT 2 05-724	Torgunn Rawle, et al. v. Merck & Co., Inc.	05-5435
UT 2 05-731	Merrill Adair, et al. v. Merck & Co., Inc.	05-5436
UT 2 05-762	Bjorn Ablad, et al. v. Merck & Co., Inc.	05-5437
WISCONSIN WESTERN		
WIW 3 05-438	James Petrasck v. Merck & Co., Inc.	05-5438
WEST VIRGINIA SOUTHERN		
WVS 2 05-748	Paula J. Goforth, etc. v. Merck & Co., Inc.	05-5439



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02658 was distributed by fax, mail, or direct printing on December 12, 2005 to the parties listed.

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